

## **Initiative Measure to be Submitted Directly to the Voters**

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

### **TITLE:**

An Initiative Legalizing Commercial Marijuana (Cannabis) Retail, Cultivation, Manufacturing, and Distribution Businesses in the City of Chula Vista

### **SUMMARY:**

It is currently illegal to operate any type of marijuana (cannabis) business within the City of Chula Vista. The proposed initiative repeals this prohibition and proposes instead to allow the operation of an unspecified number of cannabis retail, cultivation, manufacturing, and distribution businesses within Chula Vista. The specific terms of the initiative are summarized below.

The retail sale of cannabis would be authorized in all of the City's existing commercial and mixed-use zones, subject to approval of a conditional use permit (CUP). Allowed operational hours would be from 7:00am to 9:00pm, seven days a week. Offsite delivery services would also be allowed. Cannabis Retailers could not be located within 1,000 feet of: other cannabis retailers; day care centers; or schools providing kindergarten through 12<sup>th</sup> grade education. Consultations by medical professionals would be prohibited at retail establishments. Lighting and security requirements are imposed.

The cultivation, manufacture, and distribution of cannabis would be authorized in all of the City's industrial zones, subject to approval of a CUP. Cultivators would be restricted to indoor cultivation, with no visual evidence of cultivation allowed from public rights-of-way. Records of cultivation must be made available to City inspectors upon request. Manufacturers would be limited to producing edible cannabis products and would be prohibited from conducting extraction of cannabis concentrates onsite. Cultivators, manufacturers, and distributors must provide a specified level of security. Public access and sales on premises would be prohibited, as would the public release of business addresses.

CUPs would be required for all commercial uses and may contain standard city-imposed conditions, and conditions to ensure compliance with state licensing requirements. City may conduct a background check of the person(s) responsible for the operation, management, or ownership of a cannabis business. A responsible party with a felony conviction would be ineligible. All CUPs would expire no later than five years from the date of issuance. City may charge a reasonable CUP application fee and a reasonable annual fee to regulate cannabis businesses.

City could revoke or suspend a CUP in response to legitimate complaints concerning smell, noise, loitering; non-compliance with a CUP condition; or violation of any state or local regulation. City must provide permittees with a reasonable opportunity to correct cited violations before suspension or revocation of a CUP.

The initiative also authorizes qualified patients to cultivate up to 100 square feet indoors for personal use, and primary caregivers to cultivate up to 500 square feet indoors for qualified patients. Such personal cultivation must conform to state law and local codes, but no additional City permission or registration would be necessary.

The above is a summary of the terms of the proposed measure as required by Elections Code section 9203. It does not contain any legal analysis or reflect any opinion concerning the proposed measure.